

Application No. 10/021,034

REMARKS

In the office action mailed September 8, 2005, the Examiner (a) rejected Claims 1, 2, 7 and 8 under 35 U.S.C. §103(a) as being unpatentable over Billow et al. (U.S. Patent Application Publication 2005/0141008 A1) (hereinafter referred to as Billow) in view of Murray (U.S. Patent Application Publication 2002/0075505 A1); (b) rejected claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over Billow in view of Murray and further in view of Lapstun et al. (U.S. Patent Application Publication 2004/0046971) (hereinafter referred to as Lapstun); (c) rejected claims 5 and 6 under 35 U.S.C. §103(a) as being unpatentable over Billow in view of Murray and further in view of Balonon-Rosen et al. (U.S. Patent 6,307,961) (hereinafter referred to as Balonon-Rosen); and (d) rejected claims 3, 4, 7 and 8 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner further objected to the specification and claim 1 citing minor informalities. Applicant respectfully traverses such grounds of rejection.

With this response, Applicants have amended claims 1, 3 and 7 and added claims 9 - 17.

Statement Concerning Common Ownership

The undersigned patent attorney hereby provides the simple statement that MPEP §706.02(L)(2) pp. 700-59 – 700-60 states is all that is necessary to remove such a 35 USC §103(c) reference. Namely, that: ***"the present application (ser10/021,034) and Murray (U.S. Patent Application Publication 2002/0075505 A1) were, at the time the invention of the present application (ser10/021,034) was made, owned by, or subject to an obligation of assignment to, Xerox Corporation."***

As to the applied Murray reference (U.S. 2002/0075505 A1) the present application was filed on December 19, 2001 and claims priority from Provisional

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Application No. 60/258,086 filed December 22, 2000. That date is after the 11/29/00 effective date of the amendment of 35 USC §103(c) which eliminated 102(e)/103 rejections against subject applications filed or refiled after that 11/29/00 effective date. Noting 35 USC §103(c), the PTO OG notice of 12/26/00 (1241 OG 96) and MPEP §706.02(L)(2) thereon. This cited reference and the present application are commonly owned (on their face, and of record). Applicants note that:

Applications and references (whether patents, patent applications, patent application publications, etc.) will be considered by the Examiner to be owned by, or subject to an obligation of assignment to the same person, at the time the invention was made, if the Applicants or an attorney of record makes a statement to the effect that the application and the reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person.

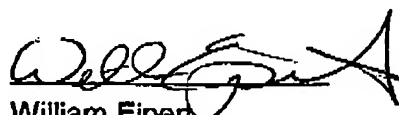
Based on the above, Applicants respectfully submit that they have established sufficient evidence of common ownership to disqualify the Murray reference from being used in a rejection under 35 USC §103(a) against the claims in the current application. As each ground of rejection relies on Murray, the Applicants respectfully submit that the Examiner must withdraw the rejection of claims 1 - 8.

With this response, Applicants have amended claim 1 to correct the minor informalities noted by the Examiner. Applicants have also amended claims 3 and 7 in response to the rejection under rejected under 35 U.S.C. §112, second paragraph. In particular, the Applicants have amended claim 3 and 7 to remedy the insufficient antecedent basis noted by the Examiner. Additionally, the Applicants have further amended claim 7 to more particularly claim how the input device is "connected" to the other elements.

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The undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

Respectfully submitted,



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